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HYOSUNG (AMERICA), INC. and
9 NAUTILUS HYOSUNG INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION
13

14 HYOSUNG (AMERICA), INC. and
15 NAUTILUS HYOSUNG INC.

16 Petitioners,

17 v.

18 HANTLE USA, INC.,

19 Defendant.

Case No. CV-10-2160- SBA

**STIPULATION SEEKING
EXTENSION OF TIME TO FILE
STIPULATION OR MOTION
REGARDING FILING OF
SECOND AMENDED
COMPLAINT AND ORDER**

Local Rule 6-2

Judge: Hon. Sandra B. Armstrong

21 WHEREAS, by Order of March 4, 2011 (Doc. No. 47), the Court directed that the parties
22 meet and confer in an effort to reach an agreement concerning the filing of Plaintiffs' proposed
23 Second Amended Complaint and file, by March 14, 2011, either a stipulation and proposed order
24 for the filing of a Second Amended Complaint, or alternatively, a motion for leave to file a
25 Second Amended Complaint in the event the parties are unable to enter into such a stipulation;

26 WHEREAS, Plaintiffs previously provided Defendant with a proposed Second Amended
27 Complaint, which adds several new defendants, including Genmega, Inc. and two individuals;
28

1 WHEREAS, Defendant has previously stated that it would not oppose filing of the Second
2 Amended Complaint in the form previously provided to it by Plaintiffs if the motion to dismiss
3 was denied, subject to resolution of certain privilege issues raised by Defendant;

4 WHEREAS, the parties believe that it may be possible to reach an agreement that will
5 result in a stipulated request to file the Second Amended Complaint, thereby avoiding the need
6 for a noticed motion on this issue;

7 WHEREAS, the parties need a brief extension to complete their discussions concerning
8 privilege issues and the filing of the Second Amended Complaint;

9 WHEREAS, a one-week extension is not expected to have a material impact on the
10 schedule for other events in this case;

11 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the
12 parties, pursuant to Local Rule 6-2 and subject to the Court's approval, that the date for Plaintiffs
13 to file a stipulation and proposed order for the filing of a Second Amended Complaint, or
14 alternatively, a motion for leave to file a Second Amended Complaint in the event that the parties
15 are unable to enter into such a stipulation, is hereby extended from March 14 to March 21, 2011.

16 In addition to stipulating to the above, I, Grant L. Kim, attest that concurrence in the filing
17 of this Stipulation has been obtained from Matthew Poppe, Counsel for Defendant Hantle USA.

18
19 Dated: March 11, 2011

ADAM A. LEWIS
GRANT L. KIM
ALISON M. TUCHER
BARBARA N. BARATH
MORRISON & FOERSTER LLP

21
22 By: /s/ Grant L. Kim /s/
Grant L. Kim

23 Attorneys for Plaintiff(s)
24 HYOSUNG (AMERICA), INC.
25 NAUTILUS HYOSUNG, INC.
26
27
28

1 Dated: March 11, 2011

ROBERT E. FREITAS
MATTHEW H. POPPE
KRISTIN S. CORNUELLE
JACOB A. SNOW
ORRICK, HERRINGTON & SUTCLIFFE
LLP

By: /s/ Matthew H. Poppe /s/ [as authorized]
Matthew H. Poppe

Attorneys for Defendant
HANTLE USA, INC.

8 **Order**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10 Dated: 3/15/11

11 By: 
12 U.S. District Court Judge